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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,765	11/29/2000	Mark W. Bradley	INSTP002	1918

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EXAMINER

NGUYEN, MIKE

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 10/08/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,765

Applicant(s)

BRADLEY, MARK W.

Examiner

Mike Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Notices & Remarks

1. Applicant's amendment file on 07/15/2003 in response to Examiner's Office Action has been reviewed. The following rejections now apply.
2. Claims 1-20 are pending for the examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Probert, Jr. et al. (U.S. Pat. No. 6,549,918 B1).

4. As to claim 1, Probert teaches a translation system for translating between nodes heterogeneous file systems (see fig. 2), comprising:

a consumer node having a first file system, the consumer node including a driver for

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supplementing requests from the first file system to a storage device (see fig. 2 elements 208, 216 col. 7 lines 27-55);

an input/output (I/O) node implementing a second file system (see fig. 2 element 22 col. 7 lines 56-67 and col. 8 lines 1-59) the I/O node including,

a translator layer, the translator layer being configured to map the supplemented requests from the first the first system to the second file system and back to the first file system (see col. 7 lines 56-67 and col. 8 lines 1-16).

5. As to claim 2, Probert teaches a translation system for translating between nodes having heterogeneous file system as recited in claim 1, wherein the I/O node further comprises,

a message handler, the message handler being configured to interface with the driver so as to filter I/O requests to the translator layer (see fig. 2 element 228 and col. 7 lines 57-62).

6. As to claims 3, 15 and 20, Probert teaches a translation system for translating between nodes having heterogeneous file systems and method, wherein the second file system is a dynamic flat file system, and the translator layer is interfaces between the dynamic flat file system and message handler (see fig. 2 elements 230, 234, 228 and col. 7 lines 56-67 and col. 8 lines 1-16).

7. As to claim 4, Probert teaches a translation system for translating between nodes having heterogeneous file systems as recited in claim 1, wherein the translator layer is configured to reformat a mounted metadata of the second file system such that the reformatted metadata substantially matches the metadata of the first file system (see col. 9 lines 5-40).

8. As to claim 5, Probert teaches a method for enabling communication between nodes having heterogeneous file systems (see fig. 3), comprising:

generating a request to communication with a desired I/O node that is connected to a nexus (see col. 8 lines 60-67 and cols 9, 10 and fig. 2 elements 220, 224);

performing discovery of the desired I/O node (see col. 8 lines 60-67 and cols 9, 10);

enumerating the desired I/O node (see col. 8 lines 60-67 and cols 9, 10);

enumerating devices connected to the desired I/O node (see col. 8 lines 60-67 and cols 9, 10);

communicating a read request to a particular device of the enumerated devices associated with the desired I/O node (see col. 8 lines 60-67 and cols 9, 10);

intercepting the read request before communication over the nexus (see col. 8 lines 60-67 and cols 9, 10); and

supplementing the read request for communication over the nexus to the particular device that is connected to the desired I/O node (see col. 8 lines 60-67 and cols 9, 10).

9. As claim 6, Probert teaches a method for enabling communication between nodes having heterogeneous file systems as recited in claim 5, wherein the performing of discovery of the desired I/O node comprises:

determining the type of the desired I/O node (see col. 7 lines 65-67 and col. 8 lines 1-16 and col. 8 lines 60-67 and col. 9 lines 1-13).

10. As claim 7, Probert teaches a method for enabling communication between nodes having heterogeneous file systems as recited in claim 5, wherein the enumerating the desired I/O node comprises:

determining the characteristics of the desired I/O node (see col. 7 lines 65-67 and col. 8 lines 1-16 and col. 8 lines 60-67 and col. 9 lines 1-13).

11. As to claim 8, Probert teaches a method for enabling communication between nodes having heterogeneous file systems as recited in claim 5, wherein the enumerating devices connected to the desired I/O node comprises:

determining the type of the devices connected to the desired I/O node (see col. 7 lines 65-67 and col. 8 lines 1-16 and col. 8 lines 60-67 and col. 9 lines 1-13); and

determining the characteristics of the devices connected to the desired I/O node (see col. 7 lines 65-67 and col. 8 lines 1-16 and col. 8 lines 60-67 and col. 9 lines 1-13).

12. As to claim 9, Probert teaches a method for enabling communication between nodes having heterogeneous file systems as recited in claim 5, wherein the supplementing the read request for communication over the nexus to the particular device that is connected to the desired I/O node comprises:

manipulating the read request so as to create a supplemented request, the supplemented request being configured to carry a type of a file system of the node (see col. 10 lines 59-67).

13. Claims 10-12 are directed to the method implementing the system of claims 1-2 and 4. Probert teaches the system as set forth in claims 1-2 and 4. Therefore, Probert also teaches the method claims as set forth in claim 10-12.

14. As to claim 13, Probert teaches a method for enabling communication between nodes having heterogeneous file systems as recited in claim 10, wherein the I/O node can be one of a storage controller devices, a device supporting NFS protocols, and a device supporting CIFS protocols, each of the devices for supporting NFS protocols and CIFS protocols being implemented for file system sharing (see col. 7 lines 66-67 and col. 8 lines 1-16).

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15. As to claim 14, Probert teaches a method for enabling communication between nodes having heterogeneous file systems as recited in claim 10, wherein the consumer node can be one of a personal computer, a work station computer, a network computer, a file server, a computer server, a web server, a wireless computer, and a personal digital assistant (see fig 1 element 20 and col. 5 lines 42-54).

16. Claims 16-19 are directed implementing the method of claims 10-13. Probert teaches the method as set forth in claim 10-13. Therefore, Probert also teaches the method claims as set forth in claim 10-13.

Response to Arguments

17. Applicant's arguments with respect to claim 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Nguyen whose telephone number is (703) 305-5040 or e-mail is mike.nguyen@uspto.gov. The examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

The appropriate fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeffrey Gaffin, can be reached on (703) 308-3301.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.

Mike Nguyen
Patent Examiner
Group Art Unit 2182

10/03/2003


JEFFREY GAFFIN
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